

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
October 6, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1<sup>st</sup> Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

**1:00 PM – Public Hearing**

2. Roll Call.

**PRESENT:** Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray

**ABSENT:** McFarland, Martinez

3. Approval of September 15, 2009 Zoning Commission Minutes as corrected.

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2009144 HS (Council District 1):** A request for a change in zoning from “MF-33” Multi-Family District to “HS MF-33” Historic Significant Multi-Family District on 0.4201 of an acre out of Block 2, NCB 767, 521 West Euclid Avenue. Staff recommends approval.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 11 returned in favor and no response from Five Points Neighborhood Association.

**COMMISSION ACTIN**

The motion was made by Commissioner Wright and seconded by Commissioner Christian to recommend approval.

**AYES:** Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2009152 (Council District 1):** A request for a change in zoning from “R-5 CD” Single-Family Residential District with a Conditional Use for a Retail Import Business to “O-1” Office District on Lot 20, Block 6, NCB 9194, 4819 San Pedro Avenue. Staff recommends approval pending plan amendment.

Staff stated there were 28 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and no response from Edison and Olmos Park Terrace Neighborhood Associations. Staff mailed 74 notices to the Planning Team.

### **COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Christian to recommend approval.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**

**NAY: None**

### **THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2009158 (Council District 2):** A request for a change in zoning from "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District to "MF-18 EP-1" Multi-Family Facility Parking/Traffic Control District on Lot 22, Block 4, NCB 1422, 431 Belmont Street. Staff recommends approval.

Staff stated there were 34 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Jefferson Heights Neighborhood Association. Staff mailed 26 notices to the Planning Team.

### **COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Christian to recommend approval.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**

**NAY: None**

### **THE MOTION CARRIED**

### **INDIVIDUAL CONSIDERATION:**

**7. ZONING CASE NUMBER Z2009149 ERZD (Council District 9):** A request for a change in zoning from "C-2NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on Lot 1, Block 23, NCB 17600, 2770 East Evans Road. Staff recommends approval.

James Griffin, representative, stated the purpose the "NA" removal is to allow for a convenience store with sale of alcoholic beverages for off-premise consumption. He stated he has been in contact with the surrounding neighbors and to address their concerns they have agreed on deed restrictions to prohibit any on premise consumption establishments such as a restaurant.

Staff stated there were 36 notices mailed out to the surrounding property owners, 8 returned in opposition and 1 in favor and no response from Cavalo Creek Estates Home Owner's Association.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval with SAWS recommendations.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**  
**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2009115 CD (Council District 10):** A request for a change in zoning from "R-6" Residential Single Family District to "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair on 1.64 acres out of NCB 15680 and 17365 (CB 5014) on a portion of the 13000 and 14000 blocks of Bulverde Road. Staff recommends approval of "C-2NA"; denial of requested Conditional Use for Auto and Light Truck Repair.

James Griffin, representative, stated the purpose of this zoning request is to allow for an auto repair facility on the subject property. He does not feel this use would pose a threat to the surrounding neighbors, as the surrounding uses are commercial uses. He further stated he has been in contact with the neighborhood associations and has received a letter of support from Eden Homes Owners Association however, San Antonio St. James Place Home Owner's Association has not responded. He stated he has a few concerns with staff's conditions. He would like amend the staff condition of vehicles being kept no more than 30 days as some of the customer may need more than 30 days to pay for services rendered. He also expressed concerns with the 6-foot fence as the surrounding property owners have existing 6 to 8 foot privacy fences.

Staff stated there were 48 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 in favor and no response from Eden and San Antonio St. James Place Home Owner's Associations.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Myers to recommend approval of "C-2NA CD" with the following conditions:

1. No vehicles shall be kept on premise for more than 45 days.
2. All repair work shall take place indoors.
3. A Type C (15-foot) landscape buffer including a 6-foot tall, solid screen fence shall be maintained along the side and rear property lines where the subject property abuts residential zoning or uses, with the exception that no fence will be required along the southern property line
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

5. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 7:00 p.m.
6. All service bay access and openings shall be oriented toward Bulverde Road, and away from abutting residential zoning or uses.

**AYES: Gadberry, Kelley, Christian, Hawkins, Myers, Tiller, Gray**

**NAY: Valadez, Wright**

**THE MOTION CARRIED**

**9. ZONING CASE NUMBER Z2009140 (Council District 5):** A request for a change in zoning from "R-4" Residential Single-Family District to "C-2" Commercial District on Lot 5, Block 69, NCB 3667, 323 Northwest 24th Street. Staff recommends denial of "C-2" with an alternate recommendation of "O-1"

Applicant/Representative not present.

Staff stated there were 23 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 in favor and Prospect Hill Neighborhood Association is opposition of the "C-2" but in support of "O-1".

**COMMISSION ACTION**

The motion was made by Commissioner Valadez and seconded by Commissioner Hawkins to recommend a continuance until October 20, 2009.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**

**NAY: None**

**THE MOTION CARRIED**

**10. ZONING CASE NUMBER Z2009151 (Council District 3):** A request for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lots 16 and 17, Block 19, NCB 7685, 6112 South Flores Street. Staff recommends approval.

Joseph Guajardo, applicant, stated the purpose of this zoning change is to allow for a beauty salon. He stated he has been in contact with City representative to prohibit egress/ingress on Pyron.

**The following citizen(s) appeared to speak:**

Cheryl Gutierrez, spoke in opposition. She expressed concerns with traffic.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and no response from Mission San Jose Neighborhood Appearance and Safety Committee. Staff mailed 20 notices to the Planning Team.

### COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend approval.

**AYES:** Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray

**NAY:** None

### THE MOTION CARRIED

**11. ZONING CASE NUMBER Z2009153 (Council District 1):** A request for a change in zoning from "DR" Development Reserve to "O-1" Office District on 0.280 of an acre out of Block 6, NCB 10378, 2000 Block of El Monte Boulevard. Staff recommends approval.

Kathy Valdez, representative, stated the purpose of this zoning change is to allow for a medical supply office building on the subject property.

#### **The following citizen(s) appeared to speak:**

Florence Saltarelli, spoke in opposition. She expressed concerns with the height of the building and the noise and light pollution.

Alex Wright, spoke in opposition. He expressed concerns with traffic.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and Dellview Area Los Angeles Heights Neighborhood Associations are in favor. Staff mailed 31 notices to the Planning Team.

### COMMISSION ACTION

The motion was made by Commissioner Kelley and seconded by Commissioner Gray to recommend approval.

**AYES:** Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray

**NAY:** None

### THE MOTION CARRIED

**12. ZONING CASE NUMBER Z2009155 CD (Council District 7):** A request for a change in zoning from "C-2P" Commercial Pedestrian District to "C-2P CD" Commercial Pedestrian District with Conditional Use for a Motor Vehicle Sales on Lot 178 and east 20 feet of Lot 177, Block H, NCB 8360, 1158 Bandera Road. Staff recommends denial.

Mr. Santana, owner, stated the purpose of this request is to allow for motor vehicles sales on the subject property.

Staff stated there were 19 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 in favor and Donaldson Terrace Neighborhood Association has verbal agreed to support the zoning request. Staff mailed 32 notices to the Planning Team.

### **COMMISSION ACTION**

The motion was made by Commissioner Christian and seconded by Commissioner Gray to recommend a continuance until October 20, 2009.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**

**NAY: None**

### **THE MOTION CARRIED**

**13. ZONING CASE NUMBER Z2009157 S (Council District 2):** A request for a change in zoning from "AE-1" Arts and Entertainment District to "AE-1 S" Arts and Entertainment District with a Specific Use Authorization for a hotel on Lot 1 and the west 22 feet of Lot 2 (also known as Arbitrary Lot A-10), Block A, NCB 597 save and except 0.0034 of an acre out of Lot 1, Block A, NCB 597 (Per deed volume 11825, page 2485), 1304 East Commerce. Staff recommends approval.

Jerry Arredondo, representative, stated the purpose of this request is to allow for the development of a hotel on the subject property. He stated he has briefly met with Mrs. McDonald to address her concerns.

### **The following citizen(s) appeared to speak:**

Barbara McDonald, stated she has meet with the representative to further discuss this proposal however her vote is still neutral.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 in favor and no response from Downtown Resident's and Dignowity Hill Neighborhood Associations. Staff mailed 86 notices to the Planning Team.

### **COMMISSION ACTION**

The motion was made by Commissioner Hawkins and seconded by Commissioner Gray to recommend approval.

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Tiller, Gray**

**NAY: None**

### **THE MOTION CARRIED**

Commissioner Wright would like to request a citizen present to speak in opposition for Zoning Case Number Z2009149 ERZD be heard as she arrived after the case was considered.

**14. ZONING CASE NUMBER Z2009149 ERZD (Council District 9)**

Ann Quigley, spoke in opposition. She expressed concerns with the sell of alcohol beverage establishment being close to an elementary and middle school.

15. Appointment of Zoning Commission Member to the Planning Commission Technical Advisory Committee (TAC).

Commissioner Valadez nominated Commissioner Wright to continue serving on the Planning Commission Technical Advisory Committee as a Zoning Commission Member.

Commissioner Gray seconded the nomination.

(A verbal vote was taken)

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Tiller, Gray**

**NAY: None**

**THE MOTION CARRIED**

16. Discussion and action on elect a Chairman and Pro-Tem for the remainder of 2009.

Commissioner Hawkins would like to nominate Commissioner Tiller to serve as Chair Pro-Tem for the reminder of 2009.

(A verbal vote was taken)

**AYES: Gadberry, Valadez, Kelley, Christian, Hawkins, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

17. Briefing on the proposed Military Lighting Overlay District Comprehensive Rezoning Case.

Rudy Nino, Senior Planner, briefed commissioners on this item.

October 6, 2009

8

18. **ADJOURNMENT.**

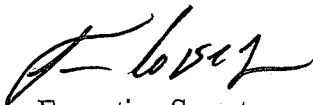
There being no further business, the meeting was adjourned at 2:40 p.m.

APPROVED:

A handwritten signature in cursive script, appearing to read "Don Gadberry".

Don Gadberry, Chairman

ATTEST:

A handwritten signature in cursive script, appearing to read "F. Lopez".

Executive Secretary